

REMARKS

This amendment is in response to the Office Action of October 19, 2005 in which claims 1-3 and 5-17 were rejected by the Examiner, claim 4 was objected to, and claim 18 was allowed.

Regarding the novelty rejection of claims 1 to 3 and 5-17 of the application based on Mäkelä et al (US 6,047,196), the Mäkelä et al reference relates to a mobile station which comprises two separate user interfaces and an outer covering which can be unfolded; i.e. functionalities of the Nokia Communicator series. The two “modes” referred to in the title of Mäkelä et al refer to the “folded” and the “unfolded” modes of operation. For example, Fig. 5 shows a communication device with hinges on one of the long edges opened in one of these modes of operation in the bottom portion of the figure and closed in the top portion in the other mode of operation.

The Examiner refers to Fig. 1 of Mäkelä et al which illustrates a known personal message communication device shown in the opened mode of operation, which is equipped with both a conventional ITU-T keypad (2) arranged for numerical and character input and a character keypad (3). In accordance with the background description, detailed information about the structure or functioning of the message communication device is not given (cf. column 1, lines 24 to 41).

Further, the Examiner refers to the application keys (16) of the embodiment of Fig. 3 of Mäkelä et al, which arrangement and functionality is described in column 4, line 50 to column 5, line 4. In summary, upon user actuation of one of the application keys provided, a specifically assigned application is called, initiated, continued, and/or a specifically assigned application function is started.

Applicant does not agree that the Mäkelä et al disclosure anticipates the present invention.

The gist of the present invention is to provide a substantially QWERTY / QWERTZ arranged keyboard layout with a block of number keys included in the keyboard as keys with a second key function assignment of numeral keys such that the control keys “W” and “P” are not necessarily included in the block of keys

having the second key function while also enabling a convenient telephone number input.

The Examiner has identified in Fig. 3 of Mäkelä et al the “control letters” defined in claim 1 with function keys 16 individually and/or specifically assignable with applications and/or application functions such as known from the Nokia Communicator “function keys.”

The control letters could for example relate to control symbols to be interposed into a telephone number to control the timing during a dialing procedure of the telephone number; in particular, including a waiting instruction “W” and a pausing instruction “P” as described in the specification.

The cellular terminal shown in Fig. 1 of Mäkelä et al comprises both a keyboard and an ITU-T keypad. One of the objects of the present invention is to improve useability by avoiding such a keyboard/keypad design due to size constraints.

Since the two modes disclosed by Mäkelä et al have to do with either having the device open as shown in Fig. 1 or closed as shown in Fig. 2 and in the top part of Fig. 5 and in Fig. 6, the limitations of claim 1 as pertaining to the claimed first mode and second mode have to be attempted to be “read onto” Mäkelä et al. The claim specifically says that at least one of the plurality of applications is adapted to switch a keyboard operation mode into a first mode and into a second mode. Notice that the keyboard operation is the thing that is adapted to switch by the at least one of the plurality of applications. Thus, if the claimed “set of keys organized as a keyboard” is taken to be all of the keys both in the “folded” and the “unfolded” modes of operations of Mäkelä et al, then claim 1 can only be read onto Mäkelä et al if the claimed *at least one of the plurality of applications is adapted to switch a keyboard operation mode into a first mode and into a second mode* appears in Mäkelä et al. The Examiner has not identified and it does not seem possible for any “keyboard operation mode” of Mäkelä et al to be adapted into a different kind of operation in the “folded” and “unfolded” modes of operation, and it therefore does not seem possible for Mäkelä et al to anticipate the presently claimed invention. In other words, the functional keys 16 shown in Fig. 3 of Mäkelä et al do not have anything

to do with switching the keyboard operation that might be associated with using the keys 7 of Fig. 5 of Mäkelä et al in the closed position as opposed to the keys 15 in the open position. The terms of the examined claim 1 for instance, before the above amendment, required a second selection of keys of the set of keys organized as a keyboard to be provided for entering control letters in accordance with the first assigned function, the control letters having a control function in relationship with the entering of telephone numbers, i.e., in accordance with the second assigned function. This is also the case for the amended claim 1 where it is set forth that the first selection of keys for entering numbers and telephone number related symbols in accordance with the second assigned function and the second selection of keys provided for entering control letters having a control function in relationship with the dialing of a telephone number are operable with the keyboard operation mode being in the second mode. There is nothing like either of these in the Mäkelä et al reference.

Withdrawal of the 35 U.S.C. §102(b) rejection of claims 1-3, 5, 6, 8, 9, 11, 12 and 14-17 is requested.

* * *

With regard to the obviousness rejection of claim 7 as being unpatentable over Mäkelä et al in view of Bentley et al (U.S. 5,727,047), Bentley et al mentions the use of additional control symbols for controlling a dialing procedure, in particular a timing control of the dialing procedure ("P" and "W" control symbols) but such is not suggestive of the claimed invention as discussed above in connection with the novelty rejection and it is believed that the obviousness rejection of claim 7 is inapplicable for at least those reasons.

Withdrawal of the 35 U.S.C. §103 rejection of claim 7 is requested.

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Regarding the 35 U.S.C. §103(a) rejection of claim 10 as being unpatentably obvious over Mäkelä et al in view of Cleveland Jr. (U.S. 5,476,332), Cleveland Jr. mentions a keyboard layout with symmetrically arranged shift keys. However, in view of the comments above in connection with the novelty rejection, it is believed that the obviousness rejection of claim 10 is inapplicable for at least the reasons

advanced therein.

Withdrawal of the 35 U.S.C. § 103(a) rejection of claim 10 is requested.

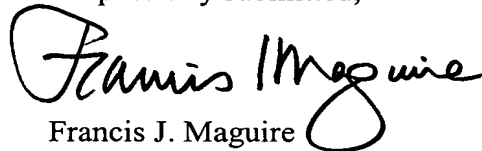
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Regarding the 35 U.S.C. §103(a) rejection of claim 13 as being unpatentably obvious over Mäkelä et al in view of Sood et al (U.S. 6,377,811), Sood et al mention a varying of coloring of keys. However, in view of the arguments presented above in connection with overcoming the novelty rejection, it is believed that the 35 U.S.C. §102 foundation is removed from this 102(b)/103(a) rejection and withdrawal thereof is requested.

An additional independent claim 19 on the basis of the dependent claim 4 has been included on account of the fact that claim 4 was merely objected to. In this case, we have also formed a new independent claim 20 on the basis of the pending claims 1 and 3 and the keyboard controller definition included in claim 3. The subject matter of the intervening claim 2 as well as the definitions concerning the first and second sets of commands as defined in intervening claim 3 have been omitted.

The objections and rejections of the Office Action of October 19, 2005 having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-20 to issue is solicited.

Respectfully submitted,



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